

TAB 4

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SCIMED LIFE SYSTEMS, INC.,

Plaintiff,

CASE NO. 1:01CV 2015 (GK)

v.

MEDTRONIC AVE, INC.
and ERIC C. MARTIN,

Defendants.

FILED

DEC 21 2001

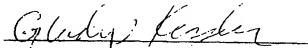
NANCY MAYER WHITTICTON, CLERK
U.S. DISTRICT COURT

PROPOSED ORDER ALLOWING FILING OF SECOND AMENDED COMPLAINT

Plaintiff Scimed Life Systems, Inc. ("Scimed") has moved to file a Second Amended Complaint pursuant to Rule 15(a), Fed.R.Civ.P. and Local Rule 7.1. Defendant Medtronic AVE, Inc. ("Medtronic AVE") and defendant Eric C. Martin ("Martin") have consented in writing to this motion.

Accordingly, upon motion of plaintiff, the motion is GRANTED.

Dated: December 21, 2001


Honorable Gladys Kessler
United States District Judge for the
District of Columbia

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the

- (1) STIPULATED JOINT MOTION TO FILE SECOND AMENDED COMPLAINT,
- (2) SECOND AMENDED COMPLAINT, and
- (3) [PROPOSED] ORDER ALLOWING FILING OF SECOND AMENDED COMPLAINT

were served this ____ day of December, 2001 by Hand, on the attorneys for defendants as follows:

Charles R. Work, Esq.
Donna M. Tanguay, Esq.
Mark G. Davis, Esq.
John R. Fuisz, Esq.
McDermott, Will & Emery
600 Thirteenth Street, N.W.
Washington, D.C. 20005-3096

Counsel for Medtronic AVE, Inc.

and

Robert J. Koch, Esq.
Fulbright and Jaworski
801 Pennsylvania Ave., N.W.
Washington, D.C. 20004

Counsel for Eric C. Martin
